

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFREY FINK,
Plaintiff

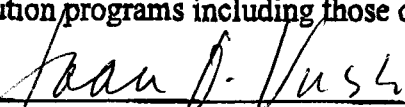
V.

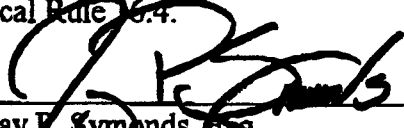
SUN LIFE INSURANCE AND ANNUITY
COMPANY OF NEW YORK, SUN LIFE
ASSURANCE COMPANY OF AMERICA,
AND PROSKAUER ROSE LLP LONG
TERM DISABILITY PLAN,
Defendants

CIVIL ACTION NO. 05-10001-RWZ

LOCAL RULE 16.1(D)(3) CERTIFICATION

We, Joan O. Vorster, attorney for defendant, Sun Life Insurance and Annuity Company of New York and Sun Life Assurance Company of Canada (improperly named as Sun Life Assurance Company of America), and Jay P. Symonds, their authorized representative, hereby certify that we have conferred with respect to establishing a budget for the cost of conducting the full course, and various alternative courses of the litigation through the use of alternative dispute resolution programs including those outlined in Local Rule 16.4.

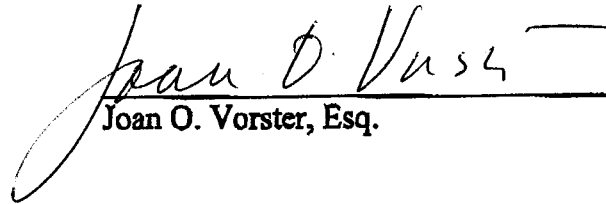

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Jay P. Symonds, Esq.
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Wellesley Hills, MA 02481

Dated: 06.09.05

CERTIFICATE OF SERVICE

I, Joan O. Vorster, hereby certify that I have this day served a copy of the foregoing document, by mailing a copy, first class mail, postage prepaid, to Mala M. Rafik, Rosenfeld & Rafik, P.C., 44 School St., Suit 410, Boston, MA 02108, and Myron D. Rumeld, Esq., Proskauer Rose LLP, 1585 Broadway, New York, NY 10036.


Joan O. Vorster, Esq.

Dated: 06.09.05